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12/19/07 HJM**Porru Andrea****Da:** Libutti Giulio**Inviato:** giovedì 9 novembre 2006 6.03**A:** Porru Andrea**Oggetto:** FW: Ester Lorusso request for an INVESTIGATION // PRIVILEGED AND CONFIDENTIAL**Priorità:** Alta**Allegati:** R: Cargo Position; R: Wednesday's Meeting**Giulio Libutti****Director Area Europe****Tel. 00390665627831/32****libutti.giulio@alitalia.it****Fax 00390665622514****From:** Porru Andrea**Sent:** Wednesday, November 08, 2006 1:44 AM**To:** Libutti Giulio**Cc:** Bruni Luca; ALAN KORAL**Subject:** Ester Lorusso request for an INVESTIGATION // PRIVILEGED AND CONFIDENTIAL**Importance:** High

Dear Giulio,

I am investigating a complaint of discrimination and retaliation that was brought to Human Resources by Ester Lorusso, currently the Director, Marketing Communications (Cargo) in the New York office of Alitalia. Ms. Lorusso copied me on an email she sent to Walter Longo on September 27, 2006 (copy attached), in which she made the following allegations:

1. That you "verbally harassed" her from the beginning of your employment in New York until (presumably) your departure.
2. That the elimination of her position of Director of Marketing in the Passenger Division in 2004 constituted sex discrimination, and she registered a complaint about it but never received any "feedback" regarding any investigation of her complaint.
3. That her promotion to Managing Director of GA2000 was a sham, because it was really a lateral move and because you knew the business would close in a year. Instead, she should have gotten the position of Senior Director of Sales, which went to Marco D'Ilario, who was not even a Director at the time.
4. Although not clearly articulated, Ms. Lorusso evidently believes that she was later retaliated against for complaining in 2004 about supposed sex discrimination in connection with the elimination of her job and the failure to give her the Senior Director of Sales position. It is not clear what form the retaliation took, but apparently giving her the promotion to General Manager of GA2000 is seen by her as retaliatory.

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5. In January, 2006, she was offered the position of Director of Marketing (Cargo), but after she accepted it she learned that the job was going instead to Michele Di Feo, and she was made Director, Marketing Communications and placed on a six months probation, which she regards as discriminatory and retaliatory.

6. She has been discriminated against in various ways since taking the Director, Marketing Communications (Cargo).

Naturally, there are many, many questions raised by this litany of wrongs as recited by Ms. Lorusso. Mr. Longo is able to help address the more recent issues involving the Cargo Department, but I must rely on you for information regarding earlier events and also regarding Ms. Lorusso's transfer to Cargo. Accordingly, Alan Koral (our outside counsel) and I have developed the following questions which we hope will not be too burdensome.

"Harassment" of Lorusso

1. Lorusso provides no particulars to support this claim, but undoubtedly she will do so at some point in the process. Please tell us of any "blow ups" or confrontations that you had with Ester at any time. If there were witnesses to any such confrontations, please give their names. In the 2004 investigation of similar complaints by Lorusso you denied her accusation that you wrote "nasty" emails to her, although you did write emails telling her to pay attention to her work. Were there any subsequent email exchanges that could be called "nasty"?

2. Did Lorusso ever complain to you that you were harassing her? If the answer is yes, please explain. No I don't remember any episode.....the last time I spoke with her, she stated that I was a great person and a great manager and she regret to not had a better relationship with me.....

3. Did you ever hear from anyone that Lorusso had stated that you were harassing her? If the answer is yes, please give particulars.

Elimination of Lorusso's Position in 2004 and Promotion to General Manager of GA2000

1. One basis for Lorusso's sex discrimination complaint seems to have been that the other Directors in the Passenger Division were male, and that hers was the only Director position eliminated. What was the rationale for eliminating Lorusso's position?the previous vice president of ga2000 was a male and has been fired....and the marketing director position has been eliminated only after mrs lorusso accepted the new position in ga2000 with a huge increase of salary...the simple rationale was a h.o. decision to centralize all marketing activities and above all the marketing budget Who besides you participated in the decision?gallo/galli Is there any documentation to support the rationale for eliminating Lorusso's job and not one of the others? I don't remember.

2. Another basis for Lorusso's 2004 complaint of sex discrimination is that the Senior Director position went to D'llario, who (she says) wasn't even a Director, and who (Mariotti says) had less experience, less knowledge of the U.S. market, and less knowledge of English. To the extent that you have not already discussed these issues in relation to Mariotti's complaint, what made D'llario more qualified than Lorusso for the Senior Director position? Was Lorusso considered for the position? Who, in addition to yourself, took part in the decision to give the position to D'llario?was a company decision not my decision to appoint mr d'llario

3. A new complaint from Lorusso about the elimination of her Marketing

job is that it has been restored, although not given to her. Did you have any role in restoring Marketing in the Passenger Division? no What were the reasons for removing the position and then later restoring it? I don't know why has been restored Do you know why Lorusso was not given the job? no

4. Another basis for Lorusso's 2004 complaint is her belief that the "promotion" to General Manager of GA2000 was a smokescreen because it wasn't really a promotion and because you knew that the job would end in a year, as apparently it did. Did anyone other than you participate in the decision to give the position to Lorusso?gallo/galliPlease explain why you regarded this appointment to General Manager of GA2000 as a promotion.higher position, higher salary, more people to manage....a direct responsibility of revenue (25 million dollars) her experience to deal with customer and her experience in marketing.... Also, did you expect the position to end within a year or so? No it was a company decision after she was appointedDid Lorusso say that she thought it would end? If you did understand that the position would only last a year, did you have other plans for Lorusso following the discontinuation of GA2000? The company did already finding a good position in cargo...

5. When the General Manager position ended Lorusso's salary, which had been raised substantially when she got the job, was cut back to a Director's level. Did you make that decision?no it was a cargo decision If so, what were the reasons?????

Lorusso's Discrimination Complaint and Investigation

1. Were you aware that Lorusso complained that the elimination of her job, the failure to give her the Senior Director job and her assignment to General Manager of GA2000 constituted sex discrimination? If the answer is yes, how did you learn of the complaint? Did you ever see a written complaint?only in 2004 from mr gallo

2. The complaint was investigated by Gallo and DiClemente. Did you assign them to investigate? no Did you give them any instructions?no because mr. gallo was not under my responsibility

3. Did Gallo ever tell you that he had reached any conclusions about Lorusso's complaint? Yes he told me that the case has been investigated and closed Was there any thing in writing? Do you know what the conclusion was? Do you know whether Lorusso was told of the investigation's conclusions?yes mr. gallo told me that mrs lorusso was satisfied about the investigation

4. According to DiClemente's transcript of the meeting with Gallo and Lorusso, Gallo told her that you thought highly of her work and also that you would be proud of what Lorusso had contributed to the company. Did he ever tell you that he had said these things?yes

5. Did you ever discuss Lorusso's discrimination complaint with Lorusso yourself?no If so, when did this occur, how many times, and what was said?

6. Apart from what you have said about the investigation already, did you ever discuss Lorusso's discrimination complaint with anybody else?no If so, with whom, when, how many times and what was said? no

7. Lorusso seems to have had an attorney in 2004 named Cynthia Gill. Do you know anything about her? no Did she contact the company? I don't know Did Gallo deal with her? I think so

8. On September 16 Lorusso complained that she had been excluded from a Sales meeting in Rome attended by the other (male) Directors, O'Neill,

D'Illario and Mariotti. Do you know why she did not go to this meeting? The list of the people invited to the meeting come from Rome...and I remember that there was not any similar position invited to that meeting...

Lorusso's Transfer to the Cargo Department

1. What was your involvement in placing Lorusso in a Director position in Cargo? no Was there any discussion with anyone about Lorusso's having complained about discrimination or retaliation in deciding what to do with her when GA2000 came to an end? My boss Mr. Gallif the answer is yes, please describe the discussions and the people involved.
2. Did you or anyone else tell Lorusso in January, 2006 that she would be Director of Marketing in Cargo? no If so, why did DiFeo get the job and why was Lorusso given the job of Director of Marketing Communications? Was her salary reduced when she was given this job? Why is DiFeo better qualified for the position? i was not involved
3. Lorusso complains that placing her on probation in the Cargo job was discriminatory and retaliatory. Was it your decision to place her on probation? i am not responsible for cargo Was anyone else involved? Why was she placed on probation? Walter Longo says that she is doing substantially the same thing in Cargo that she did in Passenger -- do you agree? If you do, why place her on probation? i am not responsible for cargo
4. Lorusso complains that the job in Cargo was really a Coordinator's job, that she has nothing to do, nobody reports to her, and she gets no direction. Can you comment on any of this? no
5. Did you have anything to do with placing Lorusso on the 36th floor? With determining whether she would be invited to Cargo meetings, in Rome or elsewhere? Please explain. no
6. Did Lorusso ever complain to you (or did others tell you that she had complained to them) about being given the Director, Marketing Communications (Cargo) job? If so, give particulars. Did she say it was discriminatory or retaliatory? no
7. From the time the GA2000 job ended, did Lorusso complain to you about anything she regarded as discriminatory or retaliatory? If so, please explain what she said and you said, and when the conversations occurred. no
8. Prior to your leaving New York, were you aware of any post-2004 complaints of discrimination or retaliation by Lorusso to other people? If so, please give the particulars. no
9. Are there any people other than those you have mentioned in connection with the above questions whom you think I should speak to in conducting my investigation of Ms. Lorusso's allegations? galli....marchese

Giulio, thanks for your cooperation in this investigation. I hope to speak with Ms. Lorusso after I receive your answers to these questions. In the meantime, as you know, the investigation must be kept confidential, and you should not discuss it with others.

I await your response

Ciao
Andrea

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